

1 MACE J. YAMPOLSKY, LTD.
2 MACE J. YAMPOLSKY, ESQ.
3 Nevada Bar No.: 001945
4 625 S. Sixth Street
5 Las Vegas, Nevada 89101
6 Tel: (702) 385-9777
7 Fax: (702) 385-3001
8 mace@macelaw.com
9 **Attorney for Defendant MICKEY GINES**

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA)	Case No.: 2:13-cr-355-GMN-CWH
)	
13 Plaintiff,)	STIPULATION TO CONTINUE
)	SENTENCING HEARING
14 vs.)	
)	SEVENTH REQUEST
15 MICKEY GINES,)	
)	
16 Defendant.)	
_____)	

17 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting
18 United States Attorney, by and through Daniel J. Cowhig, Assistant United States Attorney, and
19 Defendant Mickey Gines, by and through his counsel, Mace J. Yampolsky, Esq., that:

- 20 1. Defendant MICKEY GINES' Sentencing Hearing, currently scheduled for June 22,
21 2017, at the hour of 9:00 a.m., be continued to a date beyond August 31, 2017, to
22 be determined by the convenience of the Court.
- 23 2. Defendant Mickey Gines' testimony, cooperation and its usefulness cannot be
24 evaluated by the United States Attorney until the conclusion of the sentencing of
25 lead Defendant Gregory Villegas, which is scheduled for June 30, 2017.

///

1 3. The Defendant is out of custody and agrees to continuance of the sentencing
2 hearing.

3 4. Additionally, denial of this request for continuance could result in a miscarriage of
4 justice.

5 5. This is the seventh request to continue sentencing in this case.

6 6. Defense and Government counsel agree that the proposed continuance is sought in
7 good faith and not for purposes of delay.

8 DATED this 7th day of June, 2017.

9 OFFICE OF THE U.S. ATTORNEY

MACE J. YAMPOLSKY, LTD.

10 /s/ Daniel J. Cowhig

/s/ Mace J. Yampolsky

11 Daniel J. Cowhig
12 Assistant United States Attorney

Mace J. Yampolsky, Esq.
Counsel for Defendant Gines

1 MACE J. YAMPOLSKY, LTD.
2 MACE J. YAMPOLSKY, ESQ.
3 Nevada Bar No.: 001945
4 625 S. Sixth Street
5 Las Vegas, Nevada 89101
6 Tel: (702) 385-9777
7 Fax: (702) 385-3001
8 mace@macelaw.com
9 *Attorney for Defendant* MICKEY GINES

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA)	Case No.: 2:13-cr-355-GMN-CWH
)	
13 Plaintiff,)	FINDINGS OF FACT AND
)	CONCLUSIONS OF LAW
)	
14 vs.)	
)	
15 MICKEY GINES,)	
)	
16 Defendant.)	
)	

17 **FINDINGS OF FACT**

18 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
19 Court hereby finds that:

- 20 1. Defendant MICKEY GINES' Sentencing Hearing is currently scheduled for June 22,
21 2017 at 9:00 a.m.
- 22 2. Defendant MICKEY GINES' testimony, his cooperation and its usefulness cannot be
23 evaluated by the United States Attorney until the conclusion of the sentencing of lead
24 Defendant Gregory Villegas, which is currently scheduled for June 30, 2017.

25 ///

- 1 3. The Defendant is out of custody and agrees to continuance of the sentencing hearing.
- 2 4. Additionally, denial of this request for continuance could result in a miscarriage of
- 3 justice.
- 4 5. This is the seventh request to continue sentencing in this case.
- 5 6. Defense and Government counsel agree that the proposed continuance is sought in
- 6 good faith and not for purposes of delay.

7 **CONCLUSIONS OF LAW**

8 Based on the fact that Defendant MICKEY GINES' testimony, his cooperation and its

9 usefulness cannot be evaluated by the United States Attorney until the conclusion of the sentencing

10 of lead Defendant Gregory Villegas which is scheduled for June 30, 2017, and based on the fact

11 that counsel for the parties do not object to the continuance, and based on the fact that denial of

12 this request for continuance could result in a miscarriage of justice; the Court hereby concludes

13 that:

- 14 1. The ends of justice are served by granting said continuance since the failure to grant
- 15 said continuance would be likely to result in a miscarriage of justice.

16 **ORDER**

17 IT IS THEREFORE ORDERED that the sentencing currently scheduled for June 22,

18 2017, at the hour of 9:00 a.m. be vacated and continued to September 15, 2017 at 10:30 a.m.

19 in Courtroom 7C.

20

21 

22 _____

23 UNITED STATES DISTRICT JUDGE

24 DATED: June 9, 2017

25